STATE OF ILLINOIS)
) SS
COUNTY OF OGLE)

ORDINANCE NO. 2009-0804

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT ON PROPERTY LOCATED AT 7162 E. GRISTMILL ROAD, PINE ROCK TOWNSHIP

WHEREAS, Elmer & Martha Sue Hudson, 7162 E. Gristmill Rd., Chana, IL have filed a petition for a Map Amendment (Petition No. 06-09AM) to re-zone from AG-1 Agricultural District to R-1 Rural Residence District on property located at 7162 E. Gristmill Rd., Chana, IL and legally described as shown in Exhibit "A" attached hereto; and

WHEREAS, following due and proper notice by publication in the Ogle County Life at least fifteen (15) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least fifteen (15) days prior thereto, the Ogle County Zoning Board of Appeals conducted a public hearing on July 30, 2009, at which the petitioners presented evidence, testimony, and exhibits in support of the requested Map Amendment, and no member(s) of the public spoke in favor of or against the petition; and

WHEREAS, the Zoning Board of Appeals, having considered the evidence, testimony and exhibits presented has made its findings of fact and recommended that the requested Map Amendment be approved as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated July 30, 2009, a copy of which is appended hereto as Exhibit "B"; and

WHEREAS, the Planning and Zoning Committee of the Ogle County Board has reviewed the testimony and exhibits presented at the public hearing and has considered the Findings of Fact and recommendation of the Zoning Board of Appeals, and has forwarded a recommendation to the Ogle County Board that the requested Map Amendment be approved; and

WHEREAS, the Ogle County Board has considered the findings of fact and recommendation of the Zoning Board of Appeals and the recommendation of the Planning and Zoning Committee, and has determined that granting the Map Amendment would be consistent with the requirements established by Section 9.07(G) of the Ogle County Amendatory Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF OGLE COUNTY, ILLINOIS, as follows:

SECTION ONE: The report of the Ogle County Zoning Board of Appeals, Exhibit "B" attached hereto, is hereby accepted and the findings set forth therein are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: Based on the findings of fact as set forth above, the parcel of land located at 7162 E. Gristmill Road in Pine Rock Township and legally described as shown in Exhibit "A" attached hereto, is hereby rezoned from AG-1 Agricultural District to R-1 Rural Residence District, and the Ogle County Zoning Map shall be amended to reflect said zone change.

SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of Ogle County, Illinois and attestation by the Ogle County Clerk.

SECTION FOUR: Failure of the owners of other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 9.10 of the Ogle County Amendatory Zoning Ordinance.

PASSED BY THE COUNTY BOARD THIS 18TH DAY OF AUGUST 2009 A.D.

W. Ed Rice

W. Ed Rice, Chairman of the Ogle County Board

ATTEST:

Rebecca Huntley

Rebecca Huntley, Ogle County Clerk and
Ex Officio Clerk of the Ogle County Board

OGLE COUNTY CLERK * OGLE COUNTY, ILLINOIS *

EXHIBIT "A"
LEGAL DESCRIPTION

Part of the Northwest Quarter of Section 23, Township 23 North, Range 11 East of the Fourth Principal Meridian, bounded and described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of the Northwest Quarter of said Section 23; thence South 89 degrees 57 minutes 55 seconds East along the South line of the Northwest Quarter of said Northwest Quarter, a distance of 1615.23 feet (1615.50 feet deeded) to the Point of Beginning of the hereinafter described tract of land; thence South 5 degrees 22 minutes 44 seconds East, a distance of 352.10 feet to the Centerline of a public road designated Gist Mill Road; thence North 81 degrees 49 minutes 44 seconds West along said Centerline, a distance of 238.45 feet; thence North 73 degrees 15 minutes 57 seconds West along said Centerline, a distance of 250.33 feet; thence North 16 degrees 44 minutes 03 seconds East, a distance of 711.58 feet to the Southerly Right-of Way Lne of the Burlington Northern Railroad, said point being the Point of Curvature; thence South 56 degrees 45 minutes 39 seconds East along said Southerly Right-of-Way Line, a distance of 100.00 feet to the Point of Spiral; thence South 56 degrees 11 minutes 16 seconds East along said Southerly Right-of-Way line, a distance of 120.47 feet; thence South 9 degrees 45 minutes 00 seconds East, a distance of 319.63 feet to the Point of Beginning, containing 5.454 acres, more or less, subject to that land being used for public road purposes and also subject to all easements, agreements, county codes and/or ordinances of record if any, all situated in the Township of Pine Rock, the County of Ogle and the State of Illinois.

Part of Property Identification No. 17-23-100-031
Common Location: 7162 E. Gristmill Road

EXHIBIT "B"

FINDINGS OF FACT AND RECOMMENDATION OF THE ZONING BOARD OF APPEALS

Ogle County Zoning Board of Appeals

911 W. Pines Road
Oregon, IL 61061
815.732.1190
Fax: 815.732.2229

FINDINGS OF FACT AND RECOMMENDATION
OF THE OGLE COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of Elmer & Martha Sue Hudson, 7162 E. Gristmill Rd., Chana, IL, in case #06-09AM. The applicants are requesting a map amendment to change the zoning classification of part of Parcel Identification No. 17-23-100-031, a 5.454 acre parcel, from AG-1 Agricultural District to R-1 Rural Residence District. Said parcel is part of Section 23, Township 23N, Range 11E of the 4th Principal Meridian and is located in Pine Rock Township at 7162 E. Gristmill Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on July 30, 2009 at the Ogle County Farm Bureau, 421 W. Pines Rd., Oregon, Illinois and hereby report their findings of fact and their recommendation as follows:

SITE INFORMATION: See Staff Report (attached herewith).

ANALYSIS OF SEVEN STANDARDS: After considering all the evidence and testimony presented at the public hearing, this Board makes the following analysis of the six standards listed in Section 9.07(G) (Standards for Map Amendments) of the *Ogle County Amendatory Zoning Ordinance* that must all be found in the affirmative prior to recommending granting of the petition.

1. That the proposed amendment will allow development that is compatible with existing uses and zoning of nearby property. **Use of the site and immediate area for large-lot residential use is compatible with the existing uses (which are predominately residential) and zoning of nearby property. Standard met.**

2. That the County of Ogle and other service providers will be able to provide adequate public facilities and services to the property (including, but not necessarily limited to, schools, police and fire protection, roads and highways, water supply and sewage disposal), while maintaining adequate public facilities and levels of service to existing development. **The development of the site for residential use will not create a burden on the County of Ogle and other public service providers due to its location on a seal coat surface road and the low density of development that will be generated on the site . Standard met.**

3. That the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject site or on the environment, including air, noise, stormwater management, wildlife and natural resources. **No adverse impacts on other property in the vicinity of the subject site or on the environment, including air, noise, stormwater management, wildlife and natural resources are anticipated from the development of the site. Standard met.**

4. That the subject property is suitable for the proposed zoning classification. **The site is suitable for the R-1 zoning district, as it conforms to the minimum lot size and width requirements, is in a rural residential area, a majority of the site is timer and not suitable for agricultural use, and it is located on a seal coat surfaced Township road. Standard met.**

5. That the proposed zoning classification is consistent with the trend of development, if any, in the general area of the subject property including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification. **There is a trend of development in the vicinity of rural residential uses. The proposed zoning classification of R-1 Rural Residence District is consistent with this trend and the existing zoning of the surrounding land. Standard met.**

6. That the proposed amendment is consistent with the public interest and not solely for the interest of the applicant, giving due consideration to the stated purpose and intent of the Amendatory Zoning Ordinance as set forth in Division 1 therein, the Land Evaluation and Site Assessment (LESA) findings (if applicable), and the recommendation(s) of the Ogle County Regional Planning Commission with respect to the *Ogle County Amendatory Comprehensive Plan*. **The proposed amendment is consistent with the public interest and not solely for the interest of the applicant, as the LESA score indicates a low rating for protection, the proposed amendment is consistent with the purpose and intent of the Amendatory Zoning Ordinance, and the Regional Planning Commission has recommended approval. Standard met.**

RECOMMENDATION: We find that the proposed map amendment requested meets all the standards for recommending granting as found in Section 9.07(G) of the *Ogle County Amendatory Zoning Ordinance* and that such request is in the public interest. Therefore, the Zoning Board of Appeals hereby recommends that the zoning district classification of the property described above be changed from AG-1 Agricultural District to R-1 Rural Residence District.

ROLL CALL VOTE: The roll call vote was 5 members for the motion to recommend granting, 0 opposed.

Respectfully submitted this 30th day of July 2009 by the Ogle County Zoning Board of Appeals.

Bruce McKinney, Chairman
Maurice Bronkema
Jason Sword
Randall Anderson
Curtis Freeberg

Bruce McKinney, Chair

ATTEST:

Mark E. Miller

Michael Reibel, Secretary
By: Mark E. Miller, Acting Secretary

STATE OF ILLINOIS)
)SS
COUNTY OF OGLE)

In the Matter of the Petition
of
Elmer Hudson and Martha Sue Hudson,
Pine Rock Township

Ogle County, Illinois

Testimony of Witnesses
Produced, Sworn and
Examined on this 30th day
of July 2009
before the Ogle County
Zoning Board of Appeals

Present:
Maurice Bronkema
Randall Anderson
Curtis Freeberg
Jason Sword
Bruce McKinney, Chairman
Mark Miller, Zoning Staff

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MR. McKINNEY: Next order of business?

MR. MILLER: The next order of business is to consider the request filed June 23rd, 2009 of Elmer and Martha Sue Hudson, 7162 East Gristmill Road, Chana, Illinois for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to R-1 Rural Residence District on property described as follows and owned by the Petitioners:

Part of the NW1/4 Section 23 Pine Rock Township, 5.454 acres, more or less. Common location being 7162 East Gristmill Road.

For the record, a sign was posted along the frontage of the premises indicating that a zoning hearing is to be held regarding this property. All adjoining owners have been notified of the hearing this evening and the specifics of the petition and a legal notice was published in the July 6th edition of the Ogle County Life notifying the public of the hearing this evening and the specifics of the petition.

Under the staff report, a copy of which is on file and the Board members have received, under general information, the existing land use

is vacant rural land. Approximately 65 percent of the site is in timber. Approximately 35 percent of the site is in hay ground. Surrounding Land Use and Zoning: The immediate vicinity surrounding the site along East Gristmill Road is a predominantly rural residential area. The site is part of a 19.26 acre parcel that is in agricultural and nonfarm residential use. The subject site is the easterly 5.454 acres of the entire site owned by the Petitioners. The north boundary of the site adjoins the Burlington Northern Santa Fe Railroad right-of-way and north of the railroad right-of-way is land that is in agricultural use. The southerly 352.1 feet of the eastern boundary of the site adjoins a nonfarm residential use. The remainder of the eastern boundary adjoins a farm parcel in agricultural use. The sound boundary of the site adjoins large lot nonfarm rural residential uses. All land surrounding the site is zoned AG-1 Agricultural District. Zoning History: None. The dwelling on the entire 19.26 acre site that is owned by the Petitioners was constructed

In Totidem Verbis, LLC (ITV)
(815) 453-2260

under -- in 1981 under Zoning Certificate 116-89NA. Special Information, Public Utilities: None. Transportation: East Gristmill Road is a seal coat surfaced road under the jurisdiction of Pine Rock Township. Physical Characteristics: The site is part of an upland, predominantly gently sloping, well-to-excessively-drained upland stream terrace/outwash plain system. There are no wetlands or floodplains on the site.

According to the Ogle County Digital Soil Survey, soil types on the site are 88B - Sparta loamy sand; 440B - Jasper; and 939E - Rodman-Warsaw complex. The 440B soil series, which accounts for approximately 84 percent of the total subject site, is classified as "Prime Farmland", but the remainder of soils are classified as "Farmland of Statewide Importance" and "Not Prime Farmland". The 88B and 939E soil series, which cumulatively account for approximately 16 percent of the total subject site area, are rated as being "Very Limited" for soil septic fields due to filtering capacity, seepage in the bottom layer and slow water

movement and slope.

The LESA, the LESA score of 178.9 indicates a Low rating for protection. The Land Evaluation being 82.9 and Site Assessment being 96 percent -- 96.

In a letter from the Soil and Water Conservation District they'd like to point out the facts derived from the soils in the land evaluation and any additional site facts that could be a concern for the protection of our County's natural resources. Land evaluation score of 84.77 out of a hundred points. The southern portion of the site is covered with woodlands and the northern portion appears to be used as a hay field. Years of tree cover on the large portion of the site have produced many conservation benefits such as good soil structure, good soil stability, good carbon bank, good wildlife habitat. And severe limitations for proposed use based on the following characteristics in a greater percentage of the mapped soils are low strength for supporting loads and the unstabilized walls of cut made by earth-moving equipment that may

collapse. Sincerely Phil Fossler, Chairman and Brian Lindquist, Resource Conservationist.

I have a letter on file from the Illinois Department of Natural Resources that reads in part the natural resource review provided by Eco-Cat identified protected resources that may be in the vicinity of the proposed action. The department has evaluated this information and concluded that adverse effects are unlikely and therefore consultation is terminated.

At the July 23rd meeting of the Ogle County Regional Planning Commission, Mr. Conn made a motion to approve -- to recommend approval of Petition 6-09 Amend. The motion being seconded by Mr. Poole and the motion carried by a roll call vote of 7-0.

I have a letter from the Pine Rock Township Board that reads:

"Dear Members of the Regional Planning Commission: I am the chairman of the Pine Rock Township Planning Commission and wanted to write this letter to explain the basis for which the above petition by the Hudsons was not approved by the Pine Rock Planning Commission and by the Pine Rock Township Board. This letter is provided for your file documentation. Approximately seven years ago Pine Rock Planning Commission and Pine Rock Township

Board developed Pine Rock Township's long range residential development plan. This long range plan was reviewed and approved by the Ogle County Board and it's been the guiding document within Pine Rock Township since that approval. This residential development plan identifies residential development areas within Pine Rock Township to be only those immediately adjacent to the town of Chana and specific areas along and adjacent to Route 64. The specific petition by the Hudsons does not fall within the areas of residential development identified in the Pine Rock Township's long range residential development guidelines. Based solely on that fact the Hudsons' petition was denied by Pine Rock Planning Commission and by the Pine Rock Township Board.

Respectfully, William Welty, Chairman, Pine Rock Township Planning Commission."

Mr. Chairman, that's all I have.

MR. McKINNEY: Okay. I'll entertain a motion to go into a public hearing.

MR. BRONKEMA: So moved.

MR. SWORD: Second.

MR. McKINNEY: It's been moved and seconded to go into a public hearing. All those in favor signify by saying aye.

(All those simultaneously responded.)

MR. McKINNEY: Any opposed say nay. Motion passed. We're in a public hearing. Petitioners come forward.

MARTHA SUE HUDSON and ELMER HUDSON, being first duly sworn, testified as follows:

MR. McKINNEY: Give Julie your names and addresses.

MRS. HUDSON: Martha Sue Hudson, 7162 East Gristmill Road, Chana, Illinois, 61015.

MR. HUDSON: Elmer Hudson, H-U-D-S-O-N, 7162 Gristmill Road, Chana, Illinois.

MR. McKINNEY: Tell us about your petition.

MR. HUDSON: Well, I'm getting older and I want to downsize a little bit. Our son is interested in buying the big property and we just want to build something smaller for retirement. That's basically it and the beautiful woods out front, they will not be disturbed, so --

MR. McKINNEY: So you're going to be building on the property in the north part of the lot?

MR. HUDSON: Yes, about where the hay field is now.

MR. McKINNEY: Were you at either the planning commission meeting or the township

board meeting?

MR. HUDSON: No.

MRS. HUDSON: Was that the one last week?

MR. HUDSON: Yeah, we were at that one but not the township.

MR. McKINNEY: Were you notified about that meeting?

MR. HUDSON: No, we were not.

MR. McKINNEY: Okay.

MRS. HUDSON: As you can see, there's houses all around the area there and we have lived on Gristmill Road for --

MR. HUDSON: 30 plus years.

MRS. HUDSON: We lived in another house we built in the '70s, we lived there for about 15 years and then we have lived where we're at now for 19 years and we really do not want to leave the neighborhood, if possible, because we got a lot of friends there.

MR. McKINNEY: Do you currently farm any --

MR. HUDSON: No, no, the hay field is very poor, my neighbor does that, so --

MR. McKINNEY: How much land do you

currently own there?

MR. HUDSON: 20.46.

MR. McKINNEY: Any questions from the Board?

MR. BRONKEMA: Well, it looks like this property is half hay field and half timber.

MR. HUDSON: Basically, yes.

MR. BRONKEMA: Pretty much.

MR. HUDSON: There's really much more timber than hay field.

MR. BRONKEMA: You're planning on building in the hay field or close to the hay field?

MR. HUDSON: Yes, right on the edge of the hay field.

MR. McKINNEY: Will the rest of that land still remain hay field.

MR. HUDSON: Basically, yeah, probably or I'll just mow it as a yard. That's -- what I want to really do is cut down on all the mowing.

MR. McKINNEY: How many acres right now are in hay field where you want to put this house?

MR. HUDSON: It's less than 3 acres, 2.6 or something like that.

MR. BRONKEMA: Well, that's the whole piece or just the piece that you want to change to -- I mean, it shows outside this area there's more hay field --

MR. HUDSON: Yes, it would be the --

MR. BRONKEMA: Here's your line here.

MR. HUDSON: Yeah, this would be the tree line here and this is the hay field right here (indicating).

MR. SWORD: But he's saying there's more over here.

MR. HUDSON: There's no hay field here -- well, maybe a little bit here because we're coming up into the hay field here a ways, maybe 200 foot, but there will still be a little hay field left with the other property.

MR. FREEBERG: Is that a very productive hay field?

MR. HUDSON: No.

MR. FREEBERG: How many crops do you get off of it?

MR. HUDSON: Well, basically this year we got one and it don't look like we're going to get any more.

MR. McKINNEY: Any other questions?
MR. SWORD: Nope.
MR. McKINNEY: Nobody filed a letter of appearance. Is there anybody here that wishes to testify in favor of this petition? Anybody here that wishes to testify opposing this petition? Seeing none, while we're still in public hearing I just want to say I really don't like to go against a -- in this case a township planning commission, you know, when they have a comprehensive plan set up, but I think we have to look at each individual lot separately instead of looking at the whole township. This piece of property to me is mostly woods with very little agriculture production on it, so I'm just -- I'm going to look at this individually and not as the whole comprehensive plan for the township.
MR. BRONKEMA: Also at the same time it looks like we're looking at a total reversal of the last one we just had when his son wanted to buy the little building and here they want to sell the house and put up a building, so it looks like it's just a total reversal of the

last one, I mean, the building isn't there yet, but --
MR. McKINNEY: Okay.
MR. FREEBERG: I kind of agree with what you said. I've argued several times for local control because different parts of the county have different objectives, but I've never seen anything -- any instruction for the ZBA where we're instructed to consider a township plan. The County Board does, but I don't know that we do. Am I right on that? Have you ever seen anything?
MR. McKINNEY: No.
MR. BRONKEMA: Also at the same time this is this man's own land.
MR. McKINNEY: Well, let's go back into open session and go through our finding of facts. I'll entertain a motion.
MR. BRONKEMA: So moved.
MR. FREEBERG: Second.
MR. McKINNEY: It's been moved and seconded to go back into open session. All those in favor signify by saying aye.
(All those simultaneously

responded.)
MR. McKINNEY: Any opposed say nay. Motion passed. We're back in open session. We'll go through our finding of facts.
MR. MILLER: No. 1) That the proposed Amendment will allow development that is compatible with existing uses and zoning of nearby property.
MR. ANDERSON: Use of the site and the immediate area for large lot residential use is compatible with existing uses which are predominantly residential. He's basically got houses sitting all around him on small lots, so I feel that standard is met.
(All those agreed.)
MR. MILLER: No. 2) That the County of Ogle and other service providers will be able to provide adequate public facilities and services to the property including, but not necessarily limited to schools, police and fire protection, roads and highways, water supply and sewage disposal while maintaining adequate public facilities and levels of service to existing development.

MR. BRONKEMA: The development of the site for residential use will not create a burden on the County of Ogle and other public service providers due to its location on a seal coat surfaced road and the low density of development that will be generated on the site. I feel the standard is met.
(All those agreed.)
MR. MILLER: No. 3) That the proposed Amendment will not result in significant adverse impacts on other property in the vicinity of the subject site or on the environment including air, noise, stormwater management, wildlife and natural resources.
MR. SWORD: No adverse impacts on other property in the vicinity of the subject site or on the environment including air, noise, stormwater management, wildlife and natural resources are anticipated from the development of this site. I feel the standard is met.
(All those agreed.)
MR. MILLER: That the subject property is suitable for the proposed zoning classification.
MR. FREEBERG: The site is suitable for

the R-1 Zoning District as it conforms to the minimum lot size and width requirements. It's a rural residential area. The majority of the site is timber and not suitable for agricultural use and is located on a seal coat surfaced township road and it's sandwiched in between a road and a railroad track and there's no real farmland adjacent to it, so I think the standard is met.

(All those agreed.)

MR. MILLER: No. 5) That the proposed zoning classification is consistent with the trend of development, if any, in the general area of the subject property including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification.

MR. BRONKEMA: Well, there is a trend of development in the vicinity of rural residential use. The proposed zoning classification of R-1 Rural Residential District is consistent with this trend and the existing zoning of the surrounding land. I feel that standard is met.

(All those agreed.)

MR. MILLER: No. 6) That the proposed amendment is consistent with the public interest and not solely for the interest of the applicant giving due consideration to the stated purpose and intent of the Amendatory Zoning Ordinance as set forth in Division 1 therein, the land evaluation and site assessment findings, if applicable and the recommendation of the Ogle County Regional Planning Commission with respect to the Ogle County Amendatory Comprehensive Plan.

MR. ANDERSON: The proposed amendment is consistent with the public interest and not solely for the interest of the applicant as the LESA score indicates a Low rating for protection. The proposed amendment is consistent with the purpose and intent of the Amendatory Zoning Ordinance and the Regional Planning Commission has recommended approval. I feel that standard is met.

(All those agreed.)

MR. MILLER: And in addition to the standards contained herein have you considered the -- has the Board considered the LaSalle

factors as they pertain to this petition?

(All simultaneously said yes.)

MR. MILLER: Mr. Chairman, I also had a separate letter from the Pine Rock Township Board that was separate from the planning commission. I didn't read that in its entirety, but -- do I need to state that they did have a letter of objection?

MR. McKINNEY: I don't think you need to read it. What you're saying I believe is the planning commission also objected, so it's duly noted.

MR. MILLER: Okay. Thank you.

MR. McKINNEY: With that, I'll entertain a motion.

MR. FREEBERG: I move we recommend to the County Board that they grant Petition No. 6-09AM to Elmer and Martha Sue Hudson to change the zoning on Gristmill Road from AG-1 to R-1 Rural Residence District.

MR. McKINNEY: Is there a second?

MR. BRONKEMA: I'll second that.

MR. McKINNEY: Curtis moved, Maury seconded to recommend to the County Board to

approve 06-09 Amendment from AG-1 to R-1. Roll call.

MR. MILLER: Sword?

MR. SWORD: Yes.

MR. MILLER: Anderson?

MR. ANDERSON: Yes.

MR. MILLER: Bronkema?

MR. BRONKEMA: Yes.

MR. MILLER: Freeberg?

MR. FREEBERG: Yes.

MR. MILLER: McKinney?

MR. McKINNEY: Yes.

(By voice vote five ayes.)

MR. MILLER: Five yes.

MR. McKINNEY: Motion passed. Any further business?

MR. BRONKEMA: Well, one comment I got to make is I feel that the Pine Rock Township Board if they was going to vote against somebody they should at least notify them to give them a chance to express their concern or what their plan was. Evidently they voted against this without even talking to the people, so I can't feel that it holds much water.

MR. McKINNEY: Any further business?

MR. MILLER: This goes to the Planning Assessment and Zoning Committee on August 12 at 1 p.m. at sheriff's office and to the County Board for their decision on August 18th at 5:30 p.m. and you're welcome to attend. That's all I have.

MR. McKINNEY: This meeting is adjourned.

(The zoning hearing was concluded at 9:25 p.m.)

Now on this 30th day of July 2009, I do signify that the foregoing testimony was given before the Ogle County Zoning Board of Appeals.

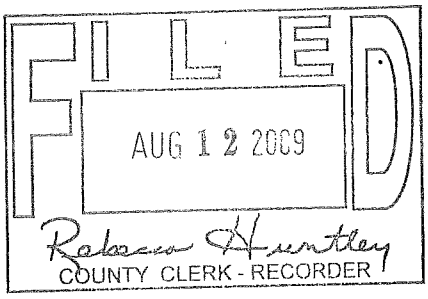
Bruce McKinney, Chairman

Michael Reibel,
Zoning Administrator

Julie K. Edeus
Certified Shorthand Reporter
IL License No. 084-003820
P.O. Box 381
Dixon, Illinois 61021

July 17, 2009
~~November 19, 2007~~

Ogle County Zoning Office
911 West Pines Road
Oregon, IL 61051



Re: MAP AMENDMENT REQUEST OF Elmer & Martha Sue Hudson

Dear Mr. Reibel:

The Pine Rock Township Board discussed your letter of July 1, 2009 notifying us of the proposed zoning change from Ag-1 Agricultural District to R-1 Rural Residence, requested for property in Pine Rock Township owned by Elmer and Martha Sue Hudson. The Pine Rock Township Planning Commission met on July 9, 2009 and voted to deny this request. Following the discussion at our meeting on July 14, 2009 the Pine Rock Township Board also voted unanimously to deny this request for the following reasons:

- The zoning change is not in compliance with the Pine Rock Township's plan opposing spot zoning.
- Our concern that approving this request for a change outside the designated residential area in the Township plan would have a domino effect of others seeking similar spot zoning.
- The surrounding area is currently Ag1 and this zoning change could cause a problem for agricultural development in the future.
- It does not meet the County Zoning requirement of 40 acres.

Thank you for the opportunity to speak on behalf of the residents of Pine Rock Township.

Sincerely yours,

Carol Eckerd

Carol Eckerd
Pine Rock Township Clerk